

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.)	
and HONEYWELL INTELLECTUAL)	
PROPERTIES INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 04-1338-JJF
v.)	(Consolidated)
)	
APPLE COMPUTER, INC., et al.,)	
)	
Defendants.)	

PLAINTIFFS' NOTICE OF RULE 30(b)(6)
DEPOSITION OF DEFENDANT DELL INC.

PLEASE TAKE NOTICE that, in accordance with Rules 26, 30(b)(6), and 32 of the Federal Rules of Civil Procedure, Honeywell International Inc. and Honeywell Intellectual Properties Inc. (hereinafter "Honeywell") will take the deposition of Defendant Dell Inc. through one or more of its officers, directors, managing agents, or other persons who consent to testify on its behalf and who are most knowledgeable with respect to the deposition topics set forth in Schedule A and the document requests set forth in Schedule B, subject to the definitions in Schedule C, at the time and place as set forth below.

PLEASE TAKE FURTHER NOTICE that, Dell Inc. is commanded/ requested to produce the documents set forth in Schedule B at least one week before the deposition.

Said deposition will be taken on Thursday August 28, 2008, at 9:00 a.m. and will be taken at the law offices of Morris, Nichols, Arsht & Tunnell LLP, 1201 N. Market Street, Wilmington, DE 19899-1347 or at such other time and place as may be agreed to by the parties. The deposition will continue until completed as provided in the Federal Rules of Civil Procedure. The deposition will be taken before a court reporter, notary public, or other person

authorized by law to administer oaths, and will be recorded stenographically and by videotape.

You are invited to attend and cross-examine.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Thomas C. Grimm

OF COUNSEL:

Martin R. Lueck
Matthew L. Woods
Stacie E. Oberts
Denise S. Rahne
Peter N. Surdo
Amy N. Softich
Daniel M. White
ROBINS, KAPLAN, MILLER
& CIRESI L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015
(612) 349-8500

Anthony A. Froio
Marc N. Henschke
Alan E. McKenna
Michael J. Garko
ROBINS, KAPLAN, MILLER
& CIRESI L.L.P.
800 Boylston Street, 25th Floor
Boston, MA 02199
(617) 267-2300

August 1, 2008
2434982

Thomas C. Grimm (#1098)
Benjamin J. Schladweiler (#4601)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
tgrimm@mnat.com
bschladweiler@mnat.com
Attorneys for Plaintiffs

SCHEDULE A

1. The authentication of any and all product or module lists or charts provided to Honeywell during the Delaware Action, and a description of the sources and criteria from which the data in the lists and charts were derived.
2. All efforts taken by you to comply with Judge Jordan's Order dated October 7, 2005.
3. All databases or sources of information available to identify the Accused Modules used in products manufactured and sold by you.
4. All information regarding whether any Licensee intended to resolve your potential liability in the Delaware Action by entering any License Agreement, whether any Licensee owed a legal obligation to you before entering any License Agreement, and whether any intent of any Licensee to resolve your potential liability in the Delaware Action was a material part of any Licensee entering any License Agreement.
5. All information regarding any agreement or understanding (including requests for and responses to), either formal or informal, between you and any Licensee concerning the indemnification of your potential liability in the Delaware Action, including but not limited to any pre-existing legal obligations between you and any Licensee.
6. The factual basis for your claim that your manufacturing and sales activities fall within the terms of any License Agreement including, but not limited to: (a) all information regarding WHEN any Accused Module used by you was manufactured and sold by any Licensee; (b) all information concerning whether any Accused Module was FULLY ASSEMBLED by a Licensee or, if not, a description of the manufacturing chan for any Accused Module; (c) all information as to whether any SALES CAP of any License Agreement has been

exceeded, and the accounting for such SALES CAP; and (d) all information regarding the PHYSICAL DIMENSIONS of the Accused Modules as they are used in any products manufactured or sold by you.

7. For each product manufactured or sold by you using an Accused Module (including but not limited to those products that are subject to Topic No. 1), a description of the ordering, purchasing, and delivery channels for such products, including whether you purchase directly from the Licensee, and the terms and location of shipment and delivery (e.g. U.S. or foreign provenance).

8. The authenticity, foundation, and substance of the Documents identified in the Requests set forth in Schedule B.

SCHEDULE B

1. All Documents regarding Topics Nos. 1-7 of Schedule A.
2. All Documents relied on in preparation for Topics Nos. 1-7 of Schedule A.
3. Exemplar purchase orders for any Accused Module or any component of any Accused Module, or similar Documents initiating the sale to you of the same.
4. Exemplar invoices for any Accused Module or any component of any Accused Module, or similar Documents evidencing the sale to you of the same.
5. Exemplar bills of lading for any Accused Module or any component of any Accused Module, or similar Documents evidencing the delivery to you of the same.

SCHEDULE C

For purposes of this notice and the attached Schedules A and B, the following terms shall have the meaning set forth below:

1. The term “License Agreement(s),” shall mean the agreements relating to U.S. Patent No. 5,280,371 between Honeywell International Inc. and Honeywell Intellectual Properties Inc., on one hand, and (1) Arima Display Corporation, dated January 19, 2007, (2) AU Optronics Corporation, dated March 15, 2006, (3) Casio Computer Co., dated December 13, 2006, (4) Chi Mei Optoelectronics, Inc., dated December 22, 2004, (5) Chunghwa Picture Tubes, Ltd., dated August 11, 2005, (6) HannStar Display Corporation, dated March 30, 2006, (7) Hitachi, Ltd., dated July 27, 2007, (8) International Display Technology Co., Ltd., dated August 2, 2006, (9) Koninklijke Philips Electronics N.V., dated December 21, 2006, (10) LG Philips LCD Co., Ltd, dated March 28, 2003, (11) NEC LCD Technologies, Ltd., dated December 10, 2004, (12) Quanta Display, Inc., dated August 22, 2006, (13) Samsung Electronics, Co., Ltd, dated June 18, 2004, (14) Sanyo Electric Co., Ltd. and Sanyo Epson Imaging Devices Corporation, dated June 27, 2005, (15) Seiko Epson Corporation, dated April 4, 2007, (16) Sharp Corporation, dated March 25, 2005, (17) Sony Corporation, dated September 26, 2006, (18) TPO Display Corporation, dated January 31, 2007, (19) Toshiba Corporation, dated September 22, 2005, or (20) Wintek Corporation, dated September 21, 2007, on the other.

2. The term “Licensee” shall refer to the party or parties to the License Agreements with Honeywell.

3. The terms “Defendant,” “you,” or “your” shall refer to named Defendant Dell Inc. (“Dell”) and includes, without limitation, Defendant’s divisions, subsidiaries,

directors, agents (including outside legal counsel), representatives, and employees, any predecessor with an interest, and any entity Defendant Dell Inc. contends is covered by a License Agreement.

4. The term “Sales Cap” shall refer to all provisions in the License Agreements regarding any and all limits on the monetary sales or product volumes authorized by the License Agreements.

5. The term “Delaware Action” shall mean the action filed by Honeywell International Inc. and Honeywell Intellectual Properties Inc. in the United States District Court for the District of Delaware accusing various consumer electronics and LCD module manufacturers of infringing U.S Patent No. 5,280,371—Case No. 04-1338 (consolidated).

6. The term “Accused Module” shall mean any LCD module or product incorporating an LCD module that has been identified by Honeywell as practicing or infringing U.S. Patent No. 5,280,371, to include but not limited to (1) those products and modules identified in Honeywell’s May 27, 2005 letter to all Counsel; (2) those products and modules identified by you in the Delaware action, including those identified in response to Judge Jordan’s Order dated October 7, 2005, (3) the following LCD modules manufactured by Optrex: DMF-50268NCU-FW-11 AL; DMF-50766NC-FW-2 AC; DMF-50918NCU-FW AA; DMF-50918NCU-FW-1 AB; DMF-50918NCU-FW-2 AC; DMF-50918NCU-FW-3 AD DMF-50944NCU-FW AA; DMF-50944NCU-FW-1 AB; DMF-50944NCU-FW-2 AC; DMF-50944NCU-FW-AD; F-51136NCWHU-FW-AA; F-51167NCU-FW-AA; and F-51167NCU-FW-AB; and (4) the following LCD modules manufactured by Samsung SDI: UG12R076A; UG12D205A; UG12D205AA; UG12D205D; UG12R022A; UG12R056B; UG12R131A; UG12R085A; UG12D216B; UG12R151A; UG12R140A; UG12R129A; UG12R110C;

UG12R168A; UF12R078A; UG12R078A; UG12R080A; UG12R056A; UG12R110A; UG12R110E; UG12R110EA; UG12D216C; UG12R168B; UG12R151C; UG12R151CA; UG12D216A; UF24U130A; UG12A025A; UG09B097A; UF17E029A; UF17E029AA; UF17E029B; UF17E029BA; UF17E029CA; and UF24R001AA.

7. The term “Fully Assembled” shall mean that the LCD modules is comprised of an LCD panel, an associated backlight, and related structural and electronic support so that the module is capable of displaying text and images.

8. The term “Document” shall mean all writings of any kind, including the originals and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise as contemplated by Fed. R. Civ. P. 26 in any form, whether on paper, in electronic form, on microfilm, or otherwise.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 1, 2008, the foregoing was caused to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

In addition, the undersigned hereby certifies that true and correct copies of the foregoing were caused to be served via electronic mail on August 1, 2008 upon the following parties:

REPRESENTING HONEYWELL INTERNATIONAL INC.
AND HONEYWELL INTELLECTUAL PROPERTIES INC.
(C.A. 04-1337)

Steven J. Balick
sbalick@ashby-geddes.com

John G. Day
jday@ashby-geddes.com

Lauren E. Maguire
lmaguire@ashby-geddes.com

REPRESENTING AUDIOVOX ELECTRONICS
CORPORATION
(C.A. 04-1337)

William F. Taylor, Jr.
wtaylor@mccarter.com

REPRESENTING AUDIOVOX COMMUNICATIONS CORP.
(C.A. 04-1337)

Matt Neiderman
mneiderman@duanemorris.com

D. Joseph English
djenglish@duanemorris.com

REPRESENTING NIKON CORPORATION
AND NIKON INC.
(C.A. 04-1337)

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

William J. Marsden, Jr. (NIKON INC.)
marsden@fr.com

Barry W. Graham
barry.graham@finnegan.com

Darren M. Jiron
darren.jiron@finnegan.com

REPRESENTING NOKIA CORPORATION
AND NOKIA INC.

(C.A. 04-1337)

Thomas L. Halkowski
halkowski@fr.com

William J. Marsden, Jr.
marsden@fr.com

Lauren A. Degnan
degnan@fr.com

Andrew R. Kopsidas
kopsidas@fr.com

REPRESENTING SAMSUNG SDI Co., LTD.
(THIRD-PARTY DEFENDANT)

(C.A. 04-1337)

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Alana A. Prills
alanaprills@paulhastings.com

Carolyn E. Morris
carolynmorris@paulhastings.com

Elizabeth L. Brann
elizabethbrann@paulhastings.com

Hamilton Loeb
hamiltonloeb@paulhastings.com

Stephen S. Korniczky
stephenkorniczky@paulhastings.com

REPRESENTING SANYO ELECTRIC Co., LTD.
AND SANYO NORTH AMERICA

(C.A. 04-1337)

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Michael A. Dorfman
Michael.dorfman@kattenlaw.com

Timothy J. Vezeau
timothy.vezeau@kattenlaw.com

Richard P. Bauer
richard.bauer@kattenlaw.com

REPRESENTING SEIKO EPSON CORPORATION

(C.A. 04-1337)

Robert J. Katzenstein
rjk@skfdelaware.com

Robert J. Benson
rjbenson@hhlaw.com

REPRESENTING APPLE
(C.A.04-1338)

Thomas L. Halkowski
halkowski@fr.com

Kelly C. Hunsaker
hunsaker@fr.com

Frank E. Scherkenbach
scherkenbach@fr.com

Richard H. Cross, Jr.
rcross@crosslaw.com

Amy Evans
aevans@crosslaw.com

Brian D. Roche
broche@reedsmith.com

REPRESENTING ARGUS
(C.A.04-1338)

Thomas L. Halkowski
halkowski@fr.com

John T. Johnson
jjohnson@fr.com

REPRESENTING CASIO
(C.A.04-1338)

David J. Margules
dmargules@bmf-law.com

Stuart Lubitz
slubitz@hhlaw.com

REPRESENTING CITIZEN WATCH CO., LTD.
AND CITIZEN DISPLAYS CO., LTD.
(C.A.04-1338)

David H. Ben-Meir
dhben-meir@hhlaw.com

Rose Hickman
rahickman@hhlaw.com

REPRESENTING CONCORD
(C.A.04-1338)

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Scott L. Lampert
by facsimile only: (954) 989-4103

REPRESENTING DELL
(C.A.04-1338)

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Avelyn M. Ross
aross@velaw.com

Willem G. Schuurman
bschuurman@velaw.com

Roderick B. Williams
rickwilliams@velaw.com

Frederick L. Cottrell, III
cottrell@rlf.com

Chad M. Shandler
shandler@rlf.com

Neal Slifkin
nslifkin@harrisbeach.com

Paul J. Yesawich, III
pyesawich@harrisbeach.com

Laura W. Smalley
lsmalley@harrisbeach.com

Philip A. Rovner
provner@potteranderson.com

Angie M. Hankins
ahankins@stroock.com

Matthew W. Siegal
msiegal@stroock.com

Lawrence Rosenthal
lrosenthal@stroock.com

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Parker H. Bagley
pbagley@milbank.com

Christopher E. Chalsen
cchalsen@milbank.com

Christopher J. Gaspar
cgaspar@milbank.com

REPRESENTING EASTMAN KODAK
(C.A.04-1338)

REPRESENTING FUJIFILM CORPORATION
AND FUJIFILM U.S.A., INC.
(C.A.04-1338)

REPRESENTING FUJITSU
(C.A.04-1338)

REPRESENTING HOYA (FORMERLY PENTAX)
(C.A.04-1338)

Adam W. Poff
apoff@ycst.com
Michael J. Fink
mfink@gbpatent.com
Neil F. Greenblum
ngreenblum@gbpatent.com
P. Branko Pejic
bpejic@bgpatent.com

REPRESENTING INNO LUX DISPLAY CORPORATION
(C.A.04-1338)

Matt Neiderman
mneiderman@duanemorris.com
Donald R. McPhail
drmcphail@duanemorris.com

REPRESENTING KYOCERA
(C.A.04-1338)

Robert J. Katzenstein
rjk@skfdelaware.com
Robert K. Beste, III
rkb@skfdelaware.com

Stuart Lubitz
slubitz@hhlaw.com

David H. Ben-Meir
dhben-meir@hhlaw.com

Rose Hickman
rahickman@hhlaw.com

REPRESENTING MEI/MEC (MATSUSHITA)
(C.A.04-1338)

William J. Wade
wade@rlf.com

Steven A. Reiss
steven.reiss@weil.com

David J. Lender
david.lender@weil.com

REPRESENTING NAVMAN
(C.A.04-1338)

Arthur G. Connolly, III
aconnollyIII@cblh.com

Brian M. Gottesman
bgottesman@cblh.com

Bradford P. Lyerla
blyerla@marshallip.com

REPRESENTING OLYMPUS
(C.A.04-1338)

John W. Shaw
jshaw@ycst.com
Richard M. Rosati
rrosati@kenyon.com
George E. Badenoch
gbadenoch@kenyon.com

REPRESENTING OPTREX
(THIRD-PARTY PLAINTIFF)
(C.A.04-1338 AND 04-1536)

Karen L. Pascale
kpascale@ycst.com
Thomas J. Fisher
tfisher@oblon.com
Alexander E. Gasser
agasser@oblon.com

Richard D. Kelly
rkelly@oblon.com

Andrew M. Ollis
aollis@oblon.com

John F. Presper
jpresper@oblon.com

REPRESENTING SAMSUNG SDI CO., LTD.
AND SAMSUNG SDI AMERICA, INC.
(C.A.04-1338)

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Alana A. Prills
alanaprills@paulhastings.com

Carolyn E. Morris
carolynmorris@paulhastings.com

Elizabeth L. Brann
elizabethbrann@paulhastings.com

Hamilton Loeb
hamiltonloeb@paulhastings.com

Stephen S. Korniczky
stephenkorniczky@paulhastings.com

REPRESENTING SONY CORPORATION
(C.A.04-1338)

John W. Shaw
jshaw@ycst.com
John Flock
jflock@kenyon.com
Robert L. Hails, Jr.
rhails@kenyon.com

REPRESENTING SONY ERICSSON
(C.A.04-1338)

REPRESENTING TOSHIBA
(C.A.04-1338)

Francis DiGiovanni
fdigiovanni@cblh.com

Richard L. Horwitz
rhorwitz@potteranderson.com

David E. Moore
dmoore@potteranderson.com

Arthur I. Neustadt
aneustadt@oblon.com

Carl E. Schlier
cschlier@oblon.com

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)